

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### EXTRAORDINARY

### No. 3

#### GOVERNMENT OF GOA

#### Department of Panchayat Raj & Community Development

#### Directorate of Panchayats

#### Notification

12/DP/PAN/ED/96-97

Whereas the draft of the Goa Panchayat Raj (Election Petition Authority) Rules, 1997, was published as required by sub-section (1) of section 240 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) in the Official Gazette, Extraordinary No. 4, Series I, No. 40 dated 7-1-1997 under Notification No. 12/DP/PAN/ED/96-97 dated 7-1-1997 of the Department of Panchayat Raj and Community Development, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of 10 days from the date of publication of the said Notification in the Official Gazette;

And Whereas the said Gazette was made available to the public on 7th January, 1997;

And Whereas objections/suggestions received from the public on the said draft have been considered by the Government.

Now, Therefore, in exercise of the powers conferred by sub-section (1) of section 16 read with sub-section (1) of section 240 of the Goa Panchayat Raj Act, 1994 (Act 14 of 1994), the Government of Goa hereby makes the following rules, namely:—

#### Preliminary

1. *Short title and commencement.*— (1) These rules may be called the Goa Panchayat Raj (Election Petition Authority) Rules, 1997.

(2) They shall come into force at once.

2. *Definitions.*— In these rules, unless the context otherwise requires,—

(a) "Act" means the Goa Panchayat Raj Act, 1994 (Act 14 of 1994);

(b) "Administrative Tribunal" means the Administrative Tribunal constituted under section 3 of the Goa Administrative Tribunal Act, 1965 (Act No. 6 of 1965);

(c) "Candidate" means a person who has been or claims to have been duly nominated as a candidate at any Village Panchayat Election, and any such person shall be deemed to have been a candidate as from the time when, with the election is prospect, he began to hold himself out as a prospective candidate;

(d) "Costs" means all costs, charges and expenses of or incidental to a trial of an election petition;

(e) "Pleader" means any person entitled to appear and plead for another in a civil court within the State of Goa;

(f) "Words and expression" which are not defined under these Rules shall have the same meaning as assigned to them under the Act;

3. *Election Petition Authority.*— The President of the Goa Administrative Tribunal shall be the authority to hear the election petition and to decide the same after conducting trial as per the procedure laid down under sections 16 to 25 of the Act.

By order and in the name of the Governor of Goa.

G. G. Kambli, Director of Panchayats & Ex-Officio Joint Secretary.

Panaji, 20th January, 1997.